

**RECEIVED
CENTRAL FAX CENTER****FEB 04 2005****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****In Re Application of:****Lawrence J. Tarantino, AIA,****Sharon A. Tarantino****Application No.: 10/757,018****Filed: 1/14/2004****For: C.I.P., [E.V.A. FURNITURE"]****}Art Unit: 3636****}Examiner: EDELL, JOSEPH F.****}**

Reply to Office Action Dated 01/29/2003**Claim Objections**

Claims 5 through 8 have been amended to remove the objection and Claims 9 and 10 have been added. The revisions follow:

We claim:

Claim 5: (Amended) A modularly designed furniture comprising slabs of ethylene vinyl acetate [(EVA)] foam having a density ranging from 35 to 45 kg./m³.

Claim 6: (Amended) A modularly designed furniture in Claim 5 wherein the [EVA] ethylene vinyl acetate foam has a preferred density of 40 kg/m³.

Claim 7: (Amended) A modularly designed furniture in Claim 5 wherein the slabs of the [EVA] ethylene vinyl acetate foam [is] are cut into a nested pattern and laminated to each other by an adhesive.

Claim 8: (Amended) A modularly designed furniture in Claim 7 wherein the slabs of [EVA] ethylene vinyl acetate foam are formed to a specific size by band saw and ground to a smooth finish.

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Claim 9: (New) A modularly designed furniture comprising slabs of closed cell foam having a density ranging from 35 to 45 kg/m³, cut into a nested pattern and laminated to each other by an adhesive capable of supporting objects and persons at a distance from the primary supporting surface.

Claim 10: (New) The furniture of Claim 9, individual completed pieces of which are capable of being stacked on one another.

Rejections 35 USC 102

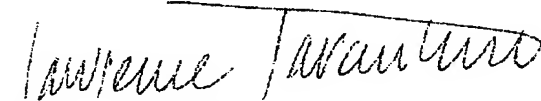
Goldman, US Pat 5,286,089 does not teach the fabrication of furniture capable of supporting objects or persons at a distance above a supporting surface, that is, his seat pad must be used at the supporting surface, namely a chair. Therefore, it does not disclose our invention.

Rejections 35 USC 103

Levins, US Pat 5,971,165 does not teach an invention which would obviously lead a person skilled in the art to our invention. The Levins invented bookshelf, comprised of puzzle pieces, whose interlocking forms are held together by friction only cannot support weight above the immediate supporting surface upon which the bookcase rests.

Therefore, we ask the examiner to grant a patent on the basis of this application.

Respectfully submitted,



Lawrence J Tarantino, AIA

Sharon Tarantino